

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 \* \* \*

4 Bernadine Morimoto, et al.,  
5 Plaintiffs,  
6 v.  
7 Richard Whitley, et al.,  
8 Defendants.

Case No. 2:17-cv-1774-APG-GWF

**ORDER DISMISSING DEFENDANT  
SHERRY BENNETT**

**(ECF No. 28)**

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10 On October 27, 2017, the plaintiff was advised by the court (ECF No. 28) that this action  
11 would be dismissed without prejudice as to defendant Sherry Bennett unless on or before November  
12 24, 2017, the plaintiffs filed proper proof of service or showed good cause why such service was  
13 not timely made. The plaintiffs have failed to file proof of service nor shown good cause. Nor  
14 have the plaintiffs shown cause why this action should not be dismissed without prejudice as to that  
15 defendant for failure to effect timely service pursuant to FRCP 4(m). Therefore,

16 **IT IS HEREBY ORDERED** that this action is **DISMISSED without prejudice** as to  
17 defendant Sherry Bennett only.

18 Dated: November 28, 2017.

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20 ANDREW P. GORDON  
21 UNITED STATES DISTRICT JUDGE  
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